

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Nobuhiko MORI, Toshihiro TOMITA and Hitoshi SAKAI

Ser. No.: 10/797,833

Group Art Unit: 1774

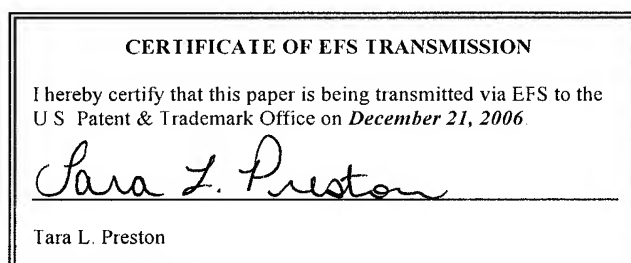
Filed: March 10, 2004

Examiner: Lawrence Ferguson

Confirmation No.: 5650

For: LAMINATED ZEOLITE COMPOSITE AND METHOD FOR PRODUCTION THEREOF

M.S. Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



REQUEST FOR RECONSIDERATION

Sir:

In response to the Office Action mailed October 18, 2006, Applicants respectfully request reconsideration and withdrawal of the rejections of record based on the following arguments.

Claims 1-5, 8 and 10 pending herein are in condition for allowance for at least the reasons explained below. Accordingly, Applicants respectfully request that the PTO issue a Notice of Allowance for this application in due course.

1. Examiner Ferguson is thanked for courtesies extended to Applicants' undersigned representative during a telephonic interview on December 15, 2006, the substance of which is incorporated below.
2. Claim 10 was rejected under §112, first paragraph. Applicants respectfully traverse this rejection.

In the Office Action, Examiner Ferguson asserted that the portions of the substitute specification identified in the Amendment filed on July 31, 2006 do not support the claim limitation in claim 10 that recites "the MFI membrane is formed in contact with more than

one surface of the porous substrate." Applicants respectfully submit, however, that claim 10 is supported by the Substitute Specification for at least the reasons explained below.

During the telephonic interview, Applicants' representative directed Examiner Ferguson's attention to paragraphs [0014], [0029], [0032], [0034] and [0045] of the substitute specification (filed February 14, 2006), which were identified in the Amendment filed July 31, 2006 as providing support for claim 10 added thereby. More specifically, Applicants' representative explained that each of the above-cited substitute specification paragraphs clearly teaches that the porous substrate is immersed in the sol for forming the membrane thereon. The word "immerse" is commonly known and understood to mean to submerge in a liquid, "to cover something completely in liquid" or "to put something into a liquid so that it is entirely below the surface" (see, for example, the definitions attached hereto). Applicants respectfully submit that one skilled in the art would readily understand that since the specification clearly states that the claimed porous substrate is immersed in the sol for forming the membrane, and since "immerse" means to cover something completely, all of the surfaces of the porous substrate would be covered by and in contact with the membrane-forming sol. Along those lines, Applicants respectfully submit that one skilled in the art would understand that the membrane would therefore be formed in contact with more than just one surface of the porous substrate, as claimed.

After reviewing the supporting specification paragraphs, Examiner Ferguson indicated that he would favorably reconsider the rejection of claim 10 in light of these arguments and in view of the attached supporting dictionary definitions attached hereto.

For at least the reasons explained above, Applicants respectfully submit that the specification does, in fact, support the limitations recited in claim 10, and respectfully request that the above rejection be reconsidered and withdrawn.

3. The rejection of claims 1-5 and 8 under the judicially created doctrine of obviousness-type double patenting over claims 1-4 of U.S. Patent No. 6,936,560 is noted, but deemed moot in view of the Terminal Disclaimer filed contemporaneously herewith. Accordingly, Applicants respectfully request that the above rejection be reconsidered and withdrawn.

If Examiner Ferguson believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, he is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

December 21, 2006

Date



Stephen P. Burr

Reg. No. 32,970

Nicole J. Buckner

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SPB/NB/gmh

Attachments: (2) sheets of Dictionary definitions for term "*immerse*"

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Dictionary Thesaurus Translations *

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immerse



immeasurable

immediate

immediate annuity

immediate constituent

immediately

immemorial

immense

immensely

▶ **immerse**

immersion

immersion foot

immersion heater

immersionism

immesh

immigrant

immigrate

Immigration

im·merse [i múrss] (*past and past participle im·mersed, present participle im·mers-ing, 3rd person present singular im·mers-es*)

verb

Definition:

1. transitive verb cover something completely in liquid: to put something into a liquid so that it is entirely below the surface

2. im·merse your-self vr occupy yourself totally with something: to become completely occupied with something, giving all your time, energy, or concentration to it

- *immersed herself in her work*

3. transitive verb CHRISTIANITY baptize somebody: to baptize somebody by lowering the person's head and upper body, or sometimes the whole body, into water

[Early 17th century. < Latin *immers-*, past

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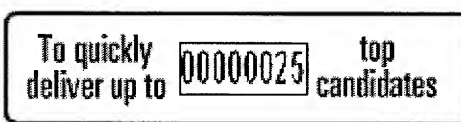
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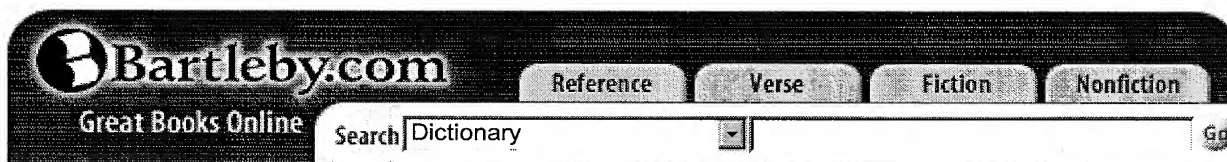
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The American Heritage® Dictionary of the English Language: Fourth Edition. 2000.

immerse

SYLLABICATION: im merse

PRONUNCIATION: ɪ-mɜrs'

TRANSITIVE Inflected forms: **im mersed**, **im mers ing**, **im mers es**

VERB: 1. To cover completely in a liquid; submerge. 2. To baptize by submerging in water. 3. To engage wholly or deeply; absorb: *scholars who immerse themselves in their subjects.*

ETYMOLOGY: From Middle English *immersed*, embedded deeply, from Latin *immersus*, past participle of *immergere*, to immerse : *in-*, in; see *in-*² + *mergere*, to dip.

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